

Transcript of Conference Call

Date: January 10, 2019

Case: Western Digital Corporation -v- Spex Technologies, Inc. (PTAB)

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

planetdepos.com

Worldwide Court Reporting & Litigation Technology



```
1
        UNITED STATES PATENT AND TRADEMARK OFFICE
2
         BEFORE THE PATENT TRIAL AND APPEAL BOARD
3
4
    WESTERN DIGITAL
5
    CORPORATION, : Case Nos.
6
            Petitioner, : IPR2018-00082, 00084,
7
                                        1067, 1068
       V.
8
    SPEX TECHNOLOGIES, :
9
    INC.,
10
           Patent Owner. :
11
12
                TRANSCRIPT OF PROCEEDINGS
13
               (All parties via telephone)
14
               Thursday, January 10, 2019
                    3:00 p.m. EST
15
16
     BEFORE:
              JUDGE DANIEL FISHMAN, Presiding
17
              JUDGE LYNNE PETTEGREW
18
              JUDGE CHARLES BOUDREAU
19
20
     Job No.: 224639
21
     Pages: 1 - 18
     Reported By: Carol M. Tayloe, RMR, CMRS, CCR
22
```



```
1
     A P P E A R A N C E S (via telephone)
2
    ON BEHALF OF THE PETITIONER, WESTERN DIGITAL:
3
        BRIAN M. BUROKER, ESQUIRE
4
        GIBSON, DUNN & CRUTCHER LLP
5
        1050 Connecticut Avenue, N.W.
6
        Washington, D.C. 20036-5306
7
        202-955-8541
8
9
    ON BEHALF OF PETITIONER, APRICORN:
10
        CHRISTOPHER D. BRIGHT, ESQUIRE
11
        MORGAN, LEWIS & BOCKIUS LLP
12
        600 Anton Boulevard, Suite 1800
        Costa Mesa, California 92626-7653
13
14
        714-830-0516
15
              And
16
         HERSH MEHTA, ESQUIRE
17
         MORGAN, LEWIS & BOCKIUS LLP
18
         77 West Wacker Drive
19
         Chicago, Illinois 60601-5094
20
         312-324-1739
21
22
```



```
A P P E A R A N C E S (continued, via telephone):
1
2
3
      ON BEHALF OF PETITIONER, TOSHIBA:
4
            PATRICK J. CONNOLLY, ESQUIRE
5
            BRACEWELL LLP
6
            701 Fifth Avenue, Suite 6200
7
            SEATTLE, WASHINGTON 98104-7018
8
            206-204-6231
9
10
      ON BEHALF OF THE PATENT OWNER:
11
            VINCENT J. RUBINO, III, ESQUIRE
12
            BROWN RUDNICK LLP
13
            7 Times Square
            New York, New York 10036
14
15
            212-209-4800
16
17
18
19
20
21
22
```



1	PROCEEDINGS
2	JUDGE FISHMAN: This is Judge Fishman. We
3	have Judge Pettigrew, that's P-E-T-T-I-G-R-E-W,
4	first name Lynne, L-Y-N-N-E. And Charles
5	Boudreau, B-O-U-D-R-E-A-U.
6	And the purpose of this call is we've
7	gotten a request for a conference with the parties
8	to discuss the upcoming hearing scheduled for this
9	Monday, the 14th of January, and apparently there
10	are some settlement negotiations well along and
11	the parties wanted to discuss how to handle the
12	upcoming hearing.
13	Let me turn to whoever wants to take this
14	up first.
15	MR. BUROKER: This is Brian Buroker on
16	behalf petitioner Western Digital. I'll take a
17	shot, anybody who wants to follow along.
18	First of all, I want to apologize because
19	I included the petition involving Kingston
20	accidentally, the 1003 petition. That was my
21	mistake. They are not that petition is not
22	inined to the proceedings for the hearing as T



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

